



FEDERAL BUREAU OF INVESTIGATION

# OSAGE INDIAN MURDERS

PART 11 OF 19

BUFILE NUMBER: 62-5033

**FILE DESCRIPTION**

**BUREAU FILE**

**SUBJECT** Craig Indian Murders

**FILE NO.** 42-5033

**SECTION NO.** 11

**SERIALS** 316 - 367

Pages 1742 - 1884  
1 cover page total 1414

100023

January 30, 1934

62-5033-316

INDEXED & RECORDED

Mr. J.B. White,  
P.O. Box 125,  
Oklahoma City, Okla.

Dear Mr. White:

I received your note of the 24th instant with the clipping and needless to say I am mighty glad to know that there are certain elements in Oklahoma which are really appreciative of what we have been endeavoring to do in correcting conditions in the Osage country. I think your office and Mr. Brown deserve strong commendation for the very excellent work that has been done in this matter.

With expression of my best regards, I remain

Sincerely yours,

Director.

Oklahoma City

100025 1/24/34

100024

Dear Mr. Brown -  
An enclosing clipping  
from Guthrie Okla paper  
"The Leader" which gives the  
opinions of the good people  
here - care in good people.  
My regards -

INDEXED & RECORDED  
62-5033-316  
BUREAU OF INVESTIGATION  
FEB 6 1934 P.M.  
DEPARTMENT OF JUSTICE

FILE

1742

Jan 23, 1906

# Lift The Load Off The Osage Back



Oklahoma is inured more or less to Indian mistreatment. It takes the revelations of murders such as occurred in the Osage case to awaken we Oklahomans to real facts as they exist in the Osage nation. There is one inescapable fact, murders were committed for greed and gain in the Osage.

We may defend this or that person who is accused of murder; we may declare that the situation is being sensationally played by the newspapers and we may insist that the "ring" is a myth.

But when we Oklahomans take that attitude we are only kidding ourselves and giving a defense to those who are pillaging Osage wealth.

**MURDER HAS BEEN COMMITTED IN THE OSAGE NATION FOR GREED AND GAIN.**

That is sufficient to warrant a thorough investigation and publicity, hurt who it may.

The wreckage of the W. E. Smith home at Fairfax with bits of human bodies strewn

for blocks; the decomposed body of Ann Brown lying in a ditch near Fairfax, bullet hole through her head; the frozen body of Henry Roan Horse sitting erect in his auto with a bullet through his head—

All these and many other lives have been sacrificed for greed in the wealthy Osage nation.

We should give thorough hearing and a fair trial. We should make no unfounded accusations or presumptions.

We properly should deplore and criticize wild writers who drift off their subject and depict Oklahoma as an untamed area some where west of the Mississippi.

But again, we should not be too blasé. We have a house to clean, murders to solve.

The attitude of ridicule for what is being investigated and depreciation of the investigation, will do more than anything else to safely fence up the guilty and protect them from justice.

Murder has been committed in the Osage and come what will, touch whom it may the guilty should be brought to justice.

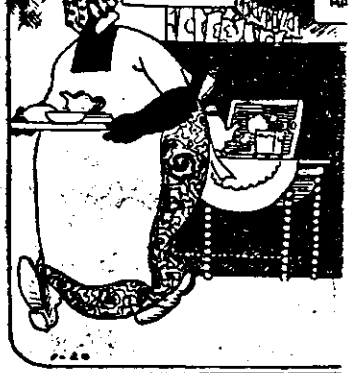
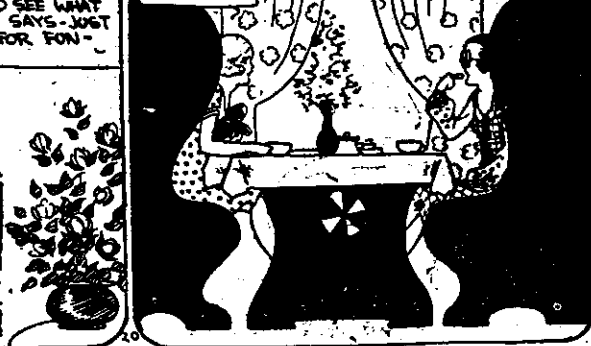
**DDIES**

**Sounds Good**

TE TO KNOW  
D BED LAST  
RTY-SO SHE  
CK SO I  
RKE - I WON'T  
JAVE - I'LL  
D SEE WHAT  
SAYS - JUST  
FOR FON -

LAST NIGHT OH BOY-I'LL SAY I HAD A GOOD TIME.  
SEE, BILL IS A GOOD SCOUT-N' TH' MOST WONDER-  
FUL - DANCER! HE PICKS A SASSY  
CACELE, TOO. HE'D BE JOS PERFECT  
IF IT WEN'T FOR THAT ANGRY FACE  
OF HIS -

GOOH, HE'S HOMEELY! BUT WE HAD  
SOME TIME - I DON'T KNOW  
JUS EXACTLY WHAT TIME HE  
LEFT - I DIDN'T HEAR TH' CLOCK  
STRIKE -



**Goat-Getters**



DOESN'T IT GET YOUR GOAT  
WHEN YOUR DAD DRAGS OUT  
THE OLD FAMILY ALBUM — AND  
REMEMBERS DATES 'N THINGS!

itz presided at the meeting.  
n the absence of the secretary,  
s Hilda Piersol, Mrs. H. A. Mc-  
ght acted as secretary pro tem.  
ince this was a regular social  
sion, most of the business was  
pensed with, and the program in  
rge of the Hospitality committee

Guthrie, Monday to spend the com-  
ing week or so with Mrs. Roark's  
mother, Mrs. G. A. Friedley, in her  
home, 114 E. Cleveland-av.  
  
From Tulsa  
Horace Speed, a former Guthrie  
man who has just returned to his  
home in Tulsa after a delightful trip

being ill several days with a cold.  
  
Mrs. Buxton Here  
Mrs. Clarence Buxton of Oklabom  
City arrived in Guthrie Wednesday  
to spend the remainder of the week  
here with Mrs. Polly Roberts in  
her home, 1114 E. Noble-av.

Department of Justice,

Bureau of Investigation.

P. O. Box 122,  
Oklahoma City, Oklahoma.  
Feb. 3, 1926.

PERSONAL

Director,  
Bureau of Investigation,  
Department of Justice,  
Washington, D. C.

ATTENTION DIVISION NO. 2.

Dear Sir:-

Re: W.K. (BILL) MALE and JOHN RIMSEY  
Murder Osage Indians.

With further reference to the above, I am herewith  
passing to you a photograph of JOHN RIMSEY, together with  
his description on the back.

This photograph was taken at my request and is for  
our use in further investigation of this case and use in  
case this man should escape.

I am passing this photograph to you for your records.

Yours very truly,

*W. J. Connelley*  
Special Agent in Charge.

TEN.W.

REC'D  
FEB 20 1926

62-5033-317

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APR

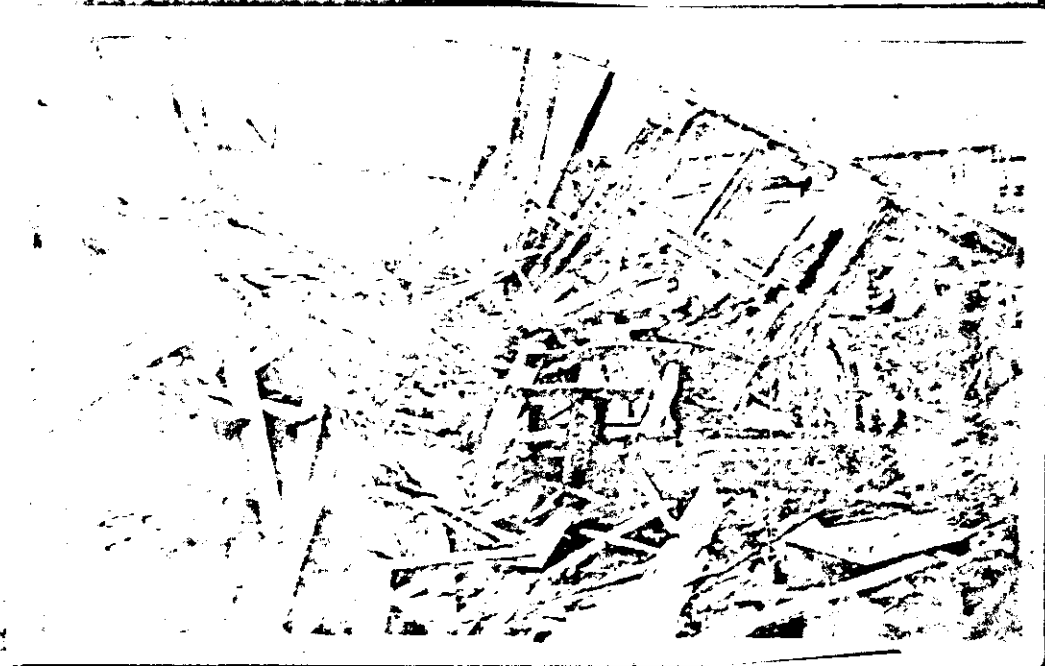
APR

*W. J. Connelley*

1745

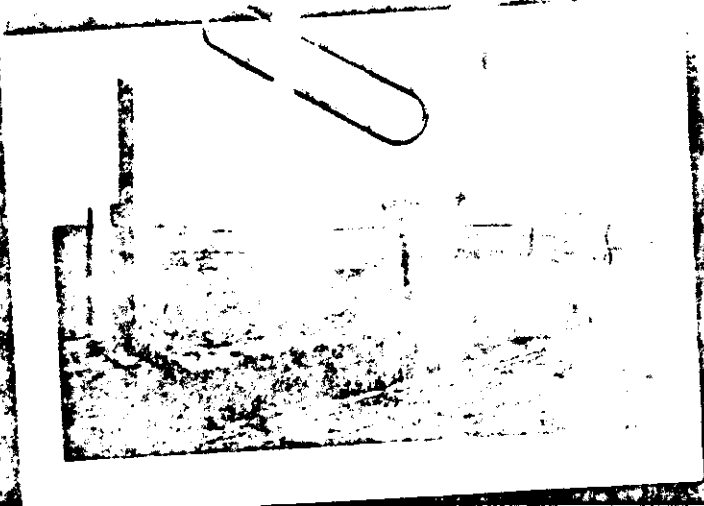
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NOV 23 1925



- 5
- 1- Fairfax - Newhaska road
  - 2- Old Fairfax - Grayson road
  - 3- Road of house in which  
Cuma Brown's body was found

1744



1747





1748

P. O. Box 125,  
Oklahoma City, Oklahoma.  
Feb. 3, 1926.  
Feb. 3, 1926.

Mr. E. G. Hancock,  
P. O. Box 665,  
Omaha, Nebraska.

- PERSONAL -

Dear Sir:-

Re: W. K. (Bill) Hale and John  
Ramsey, Murder Osage Indians.

I refer in the above connection to Agent G. R. Green's report entitled as above and dated Jan. 25, 1926 as well as my letter in the same connection of Jan. 14th.

I am enclosing herewith a photograph of John Ramsey who is one of the parties now under Federal indictment in the Western District of Oklahoma for the murder of an Indian, Henry Roan, in Government restricted territory - Indian country.

I would like for you to take this photograph and make farther investigation by having your Agent further interview Robert E. B. Rutherford, alias J. E. Nelson in the Nebraska State penitentiary at Lincoln, who bears penitentiary number in that institution, 9051.

When your Agent interviews this man, have him show this photograph of Ramsey and ask whether or not he knows him and if so whether or not he ever saw him at Henry Grammer's place and if so, when, and whether or not, if he recalls seeing him there, he ever saw Ramsey talking to Bill Hale or Ernest Burkheart, and when, and as to whether or not he was ever in Fairfax, Okla, and if so whether he ever saw Ramsey in company with Henry Roan - the murdered Indian - and if he ever saw Ramsey driving around in a new Ford car and, if he did, what if anything he knows about Ramsey's statement as to how he came into possession of this car.

The facts in this case are, briefly, that Ramsey shot and killed Henry Roan in the latter part of January or the first of February, 1923 and that the plot was laid for this act of Ramsey's at Henry Grammer's place by W. K. Hale, Grammer and Burkheart. For his part in the transaction, Roan got a new Ford Roadster, which he purchased at Ponca City, with the money furnished him by Bill Hale, and \$2000 in cash.

2:- Omaha, Nebr.

Question this man (Nelson) closely and get in detail as to just everything he knows in reference to this murder and furnish me a report as soon as possible.

Yours very truly,

T. B. White,  
Special Agent in Charge.

TBW:W.

c. c. Director,  
as per SAC 672.  
Attention No. 2.

PERSONAL

1750

PERSONAL

Mr. M. F. Blackmon,  
P. O. Box 456,  
Chicago, Illinois.

Dear Sir:-

Re: W. K. (BILL) HALE & JNO. RAMSEY  
Murder Osage Indians.

With reference to the above entitled case, I am enclosing you herewith, a photograph of John Ramsey who is, with Hale, under Federal indictment in the Western District of Oklahoma for the murder on a Government restricted territory, Indian country, of an Indian by the name of Henry Roan.

Ramsey committed this murder, having actually killed Henry Roan, for and at the instance of W. K. Hale, and received for his services in this connection, a Ford Roadster and \$500.00 in cash. Ramsey purchased this Ford Roadster from the Wigton Motor Co., Ponca City, Okla. and the salesman selling the car to him (my information is) was E. Durham who at the present time resides at 2721 Merrimac Avenue, Chicago, Ill. The car in question was purchased Jan. 4, 1925 by Ramsey, personally, from Durham. It was a Ford Roadster and he paid between \$400 and \$500 for the car.

Would like for you to assign a good Agent to this case and have him interview Mr. Durham, show him this photograph of Ramsey and see whether or not he recalls the transaction. If he does, have him state everything in detail that he knows with reference to the transaction and what he may know about Ramsey. Let me have a report as soon as possible.

Yours very truly,

FBS.V.

c. e. Director  
ATTENTION Div. 2.  
PERSONAL

J. A. White,  
Special Agent in Charge.

RECORDED & INDEXED  
MAY 12 1926

62-5033-319

ms

1751

P. O. Box 122,  
Oklahoma City, Okla.  
Feb. 4, 1926.

62-5033-320  
FEB 13 1926  
M

PERSONAL

Mr. H. P. Wright,  
P. O. Box 52,  
Jacksonville, Fla.

Dear Sir:-

Re: W.K. (BILL) HALE and JOHN RANNEY  
Murder Osage Indians. X

With further reference to my letter of January 14th, in the above connection, will say, as stated in this letter, I am enclosing to you a photograph of Seth Lewis as well as one of his brother, Damon. The photograph of Seth is not a very good one and I am trying to get another and better one and will forward to you as soon as I receive the same. The photograph of Damon is very good. You may be able to locate Seth by locating Damon as I am sure they will be together.

Damon, your agent perhaps knows, inasmuch as he was at one time Chief of Police at Miami Beach. I understand at the present time, however, that he is not Chief of Police, having been put out. I also understand that Seth made an effort to get to be Chief of Police at Miami Beach when Damon was put out, but he failed, also.

I have been unable yet to connect Lewis directly with any of the murders of the Osage Indians but am diligently working upon the same and the information is coming in daily. Should I ever receive enough information to connect Lewis, I will notify you immediately so that you can arrange to have him in custody when prosecution is instituted.

I will forward you another photograph as soon as I receive the same.

Yours very truly,

T. E. White,  
Special Agent in Charge.

T.B.W.  
c.c. Director  
Attention Div. 1011.  
FILE

1752

REPORT MADE AT: Jacksonville, Fla.	DATE WHEN MADE: 2/5/26	PERIOD FOR WHICH MADE: 2/4/26	REPORT MADE BY: W. K. BRUNER
TITLE: W. K. HALE, et al		CHARACTER OF CASE: MURDER OSAGE INDIANS	

SYNOPSIS OF FACTS:

Information is furnished that SETH LEWIS alias JACKSON, is living near Homestead, Florida, together with his brother DAMON LEWIS, former Chief of Police, Miami Beach. Pending further investigation at Homestead, Fla.

PENDING.

DETAILS:

AT MIAMI, FLORIDA.

Reference is made to a letter addressed to the Director by Special Agent in Charge WHITE of the Oklahoma City Office, dated 1/14/26, a copy of which was forwarded to this office, setting out that in probability SETH LEWIS alias JACKSON was connected with the murder of certain Osage Indians, and that this office keep him under observation.

Agent interviewed confidential informants who knew DAMON LEWIS, brother of SETH LEWIS, and they stated that they had heard that SETH LEWIS was in Homestead, together with his brother DAMON, and that both of them were living on Senator FLETCHER'S Farm. That DAMON was working for a man named WALDRON.

DETAILS: The above information will be checked up at the earliest practicable date and report thereon rendered.

Pending further investigation at Homestead, Florida.

PENDING.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	RECORDED AND INDEXED
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: 3 Washington 2 Oklahoma City	CHECKED OFF: FEB 12 1926
	BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE	JACKETED:
	ROUTED TO:	FILE:

1753

THIS CASE ORIGINATED AT Oklahoma City, Oklahoma.

REPORT MADE AT: Oklahoma City, Okla.	DATE WHEN MADE 2-5-26	PERIOD FOR WHICH MADE 2-5-26	REPORT MADE BY: T. B. White
TITLE J. I. HOWARD vs W. K. (BILL) HALE and JOHN RAMSEY			CHARACTER OF CASE Murder of Capt. J. J. ... Anna Brown et al

SYNOPSIS of FACTS:

O. C. # 70-1.

In pursuance to the efforts of the attorneys for the above Subjects, J. I. Howard, Prince Freeling and Hamilton, to compel the Government to produce Ernest Burkhart, they made application through the Indian wife of Ernest Burkhart, Mollie Burkhart, for a writ of habeas corpus to compel Roy St. Lewis, United States Attorney, John Wren and myself to produce Ernest Burkhart, alleging that he was being unlawfully held and restrained of his liberty without authority of law. To this writ the respondents replied, denying such was the case, and on February 2nd, 1926, this habeas corpus hearing was had before State District Judge Babcock and the application was denied. Her attorneys, thereupon, on February 3, 1926, attempted to put a motion before United States District Judge Cottrel compelling the Government to destroy the alleged confession of John Ramsey and to support their contention, they had numerous witnesses subpoenaed, among them Ernest Burkhart. This motion was denied by the Court. These attorneys have threatened this Agent with a slander suit with reference to conversation had with Mollie Burkhart in the Bureau office in Oklahoma City, which conversation was brought out during the habeas corpus application. PENDING.

DETAILS

REFERENCE:- To all previous reports, and especially to the report of Agent Frank S. Smith, titled as above, dated January 28, 1926.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>T. B. White</i>	SPECIAL AGENT IN CHARGE	62-1033-52	RECORDED AND INDEXED: FEB 8 1926
WASHINGTON REFERENCE: # 2	COPIES OF THIS REPORT FURNISHED TO: 3-Director 3-File <i>2/15/26</i>	BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE	CHECKED OFF: JACKETED:
		ROUTED TO:	FILE

1754

DETAILS:-

The attorneys for the above Subjects, J. I. Howard and Prince Franklin of Oklahoma City and Hamilton of Pawhuska, in their further efforts to get in their hands Ernest Burkhart, our important witness in this case and nephew of Subject [redacted], [redacted] that reported by Agent Smith, dated January 28th, 1926, under this case, made application in the State District Court for habeas corpus to compel the United States Attorney, Roy St. Lewis, Special Agent John Wren and this Agent to produce Ernest Burkhart, alleging that he was being unlawfully held, restrained of his liberty, etc.

This application is herein incorporated:-

WRIT OF HABEAS CORPUS

To T. B. White, Roy S. Lewis and John Wren:

Information under oath having been filed before this court by Mollie Burkhart, the wife of Ernest Burkhart, that you and each of you now have in your possession or under your custody and control the body of said Ernest Burkhart, and that you are unlawfully holding him and restraining him of his liberty, and that such restraint is without authority of law, and is not in obedience to any writ or process or upon any charge, and praying that a writ of habeas corpus issue out of this court directed to you and each of you, commanding you at a time and place to be fixed by the court, to then and there produce the body of Ernest Burkhart before this court in order that inquiry may be made into the cause of his unlawful detention by you and each of you.

Now the court, upon consideration of said petition of Mollie Burkhart, finds that said writ of habeas corpus should issue.

This is therefore to command you, the said T. B. White, Roy S. Lewis and John Wren, and each of you, all excuses laid aside, that you do on Tuesday, the 2 day of February, 1926, at the court room of the undersigned District Judge in and for Oklahoma County, Oklahoma, and at the hour of 9:00 o'clock A.M. of said day, produce the body of Ernest Burkhart before said court, and that you then and there make return to this writ showing your action and doings thereunder.

Of this you will in no wise omit under the pains and penalty of the law in such cases made and provided.

Done this the 29 day of January, 1926.

Geo. W. Clark  
District Judge.

To the said application United States Attorney Lewis and this Agent made the following reply: (Special Agent Wren was not served, being out of the State):-

RETURN TO WRIT OF HABEAS CORPUS

Now into this Honorable Court comes T. B. White, in obedience to

1750



the Writ of Habeas Corpus issued on the 29th day of January, 1926, requiring that respondent to have in Court the body of one Ernest Burkhart on the 2nd day of February, 1926, at 9 o'clock.

For a return to the said Writ of Habeas Corpus respondent states:

First. THAT he has not in his custody or under his control the body of Ernest Burkhart.

Second. THAT said Ernest Burkhart is not unlawfully held by me and not restrained of his liberty by me.

Third. THAT said Ernest Burkhart was never in my custody or under my restraint, and has not been transferred by me to another.

WHEREFORE, respondent prays that the Writ of Habeas Corpus herein be dismissed. "

The application of these attorneys was supported by an affidavit made by Ernest Burkhart's wife, Mollie Burkhart, evidently at the urgent request and suggestion of these attorneys: the affidavit having been taken January 23rd, 1926, at which time Mollie Burkhart was in Oklahoma City, having been brought to Oklahoma City by Bryan Burkhart, Ernest's brother, and Pitts Battey, her guardian and good friend of Bill Hale, and taken to the office of these attorneys. They also at this time came to the United States Attorney's office and called upon United States Attorney 539 1/2 St. Lewis where they asked for Ernest Burkhart.

Mollie Burkhart also talked to this Agent on this trip, but did not speak about her husband, Ernest. She was given a little advice by Agent to the effect that Ernest Burkhart was being protected at his own request and was in good hands and that she need not worry and that she could expect as long as she had money, that lots of crooks and Bill Hale's lawyers would be after her and worry her. She agreed with Agent and appeared to be satisfied when she left the office.

The application for the habeas corpus to produce Ernest Burkhart was filed January 29, 1926, and hearing set for February 1st, 1926, was heard upon that date by State District Judge Babcock and quite a lively session took place. The applicants produced several witnesses, among them Bryan Burkhart, and also had this Agent testify. No proof was produced that Ernest Burkhart was being restrained of his liberty or that he was in our custody, but on the contrary that he was being protected by us. The attorneys in this application endeavored in every way possible to have Agent disclose the whereabouts of Burkhart, but absolutely failed in doing so. The letter quoted on pages 8 and 9 of Agent Smith's report, dated January 26, 1926, addressed to Agent and signed by Ernest Burkhart, with other evidences, was given to Agent and the result of the hearing the court denied the application.

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During the taking of Agent's testimony, Attorney Howard compelled Agent to repeat the conversation with Mollie Burkhart in the Bureau office January 24, 1926, as hereinbefore mentioned, and brought out the statements made, as before related, by Mollie Burkhart. At the conclusion of Agent's testimony Attorney Howard announced that he was going to file a slander suit against Agent and he was promptly told by Agent that he could go the limit and could expect the same in return.

On February 3, 1926, these attorneys, failing in their habeas corpus application in the State Courts on February 2nd, attempted to present a motion in the United States District Court before Judge Cotteral to bring about the suppression of the ~~state~~ confession made by John Ramsey and thereby to exclude its use in the Grand Jury hearing in this case February 12th, 1926. To support their contention in this motion they had numerous witnesses subpoenaed, among them Ernest Burkhart. The motion, however, was denied filing by Judge Cotteral, stating that it was out of order as nothing was before him in the way of a case against the subjects.

On February 4th, Agent was told by United States Attorney I saw that on the evening of February 3rd, while he was seated in the lobby of the Skirwin Hotel, Oklahoma City, in conversation with Mrs. George Short, he saw Attorney Prince ~~arriving~~ enter the lobby of the hotel with Mollie Burkhart, but upon seeing him they immediately retired and went back out into the streets.

There is no question but that these attorneys, in their efforts to have us produce Ernest Burkhart and intimidate him to such an extent as to suppress his testimony in this case, are advising Mollie Burkhart to do everything that she possibly can to assist in their ends in this respect.

Before Ernest Burkhart left he had a talk with his wife and his brother, Bryan Burkhart, upon his release at the Guthrie Jail, but did not advise them of his confession or where he was going.

The attorneys in this case are assisted somewhat in working with Mollie Burkhart through Ernest Burkhart's brother, Bryan Burkhart, and an old man living with them by the name of Betts, who is a good friend of Bill Hale.

In order to endeavor to put a stop to their activities, Mollie Burkhart, on this date, is being called to the Indian Agency at Pawhuska, where she will be advised by the Indian Agent that her husband, Ernest, is in good hands and for her not to worry. Ernest Burkhart himself has also written her to this effect.

I have asked one of the Agents, while she is in the Indian Agency's office at Pawhuska, get from her, if possible, a story relative to what these attorneys for Bill Hale are proposing her to do, and will report later the developments.

I have been having the communications between Ernest Burkhart and his wife pass thru me, they addressing each other to my box in Oklahoma City, Okla.

In order that I may not know the whereabouts of Burkhart, I have telephoned John Keith at El Paso to have him take Burkhart to some place unknown

1257

T. B. White

2-5-26

only to Keith, and hereafter all communication passing through me will also pass through Keith and this arrangement will probably relieve me of the annoyances with reference to this man's whereabouts.

PENDING

1758

WVG:JEM

FEB 17 1926

100-8000 - 30-1

February 15, 1926.

MEMORANDUM FOR MR. LAWRENCE:

Reference is made to the investigation of the  
murder of Osage Indians, in Oklahoma. For your further  
information in this regard there is enclosed herewith a  
very interesting report submitted to Agent Smith, at  
Oklahoma City, on February 5th, concerning action taken  
by the Court.

I also have been advised by telegram that on  
February 10th, W. H. HALE and JOHN LAWRENCE were reindicted  
by Federal Grand Jury for the murder of HARRY HALL.

Very truly yours,

Director.

encl. 14816

1759

P. O. Box 125,  
Oklahoma City, Oklahoma.  
Feb. 5, 1926.

Mr. E. B. Sisk,  
P. O. Box 696,  
New Orleans, La.

Dear Sir:-

Re: W.K. (BILL) HALE & JOHN RAMSEY  
Murder Osage Indians.

I am enclosing herewith, Grand Jury subpoena for G. A. Cook, Jefferson Park, New Orleans. Mr. Cook is a witness we want before the Federal Grand Jury in the above connection, Feb. 12th, at Guthrie, Oklahoma, and I would like for you to immediately upon receipt of this subpoena, place it in the hands of the United States Marshal and assist him in locating Mr. Cook, in order that the subpoena can be served.

Yours very truly,

E. B. White,  
Special Agent in Charge.

TBW.V.

c. c. Director,  
as per SACL 572.  
ATTENTION Div.2.

FEB 12 1926  
RECORDED & INDEXED

62-5033-323

11/17

1760

THIS CASE ORIGINATED AT

OKLAHOMA CITY, OKLAHOMA

CHICAGO FILE NO. 70-5

REPORT MADE AT: CHICAGO, ILLINOIS	DATE WHEN MADE: Feb. 8th, 1926	PERIOD FOR WHICH MADE: Feb. 6-9, 1926	REPORT MADE BY: LOUIS LOEBL
TITLE: W. H. (BILL) HALE & JNO. RAMSEY			CHARACTER OF CASE: MURDER OF OSAGE INDIANS

SYNOPSIS OF FACTS:

M. DURHAM, 2721 WINNEMAC AVE. (not MERRIMAC AVE.) Chicago, Illinois, interviewed. Inspecting photo of JNO. RAMSEY stated that he had faint recollection of the man having had some kind of transaction with him in the sale of a Ford car; does not recall the name of RAMSEY but remembers his face and is otherwise not acquainted with him, nor does he know anything about him.

REFERRED BACK TO OFFICE OF ORIGIN - OKLAHOMA CITY - NO FURTHER ACTION CHICAGO.

DETAILS:

Reference is made to a communication from Special Agent in Charge, T. B. White, Oklahoma City, Okla., dated February 3rd, 1926, enclosing photo of JNO. RAMSEY, indicted for murder in the Western District of Oklahoma, and requesting to show the photograph to Mr. M. DURHAM, 2721 Merrimac Avenue, Chicago, for identification and other information relative to RAMSEY.

Agent ascertained that there is no such number as 2721 on Merrimac Avenue, Chicago, Illinois, and that the neighbors in 2700 block as well as the mail carrier covering that route do not know anyone by the name of M. DURHAM.

Through the co-operation of the Superintendent of Mails, Post Office Department, Chicago, it was ascertained that the Ravenswood P.O. Substation has mail address on record of M. DURHAM c/o K. L. HANBY, 3rd floor, 2721 Winnemac Ave., Chicago.

Agent interviewed M. DURHAM, 2721 Winnemac Avenue, Chicago, who upon inspecting the photo of JNO. RAMSEY, stated that he didn't believe he could recall having

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	RECORDED AND INDEXED
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: 3 - Washington ✓ 2 - Oklahoma City 1 - Chicago	BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE ROUTED TO FILE
	LL:JM	JACKETED:

1761

seen that face before. After being informed by Agent that the photo represents one JNO. RAMSEY of Fairfax, Oklan., and that it is alleged that DUREHAM sold RAMSEY a Ford Roadster, at Ponca City, Okla., on January 4th, 1923, DUREHAM refreshed his memory and dictated the following statement:

"I have been sales manager of the Glenn L. Wigton Motor Company at Ponca City, Oklahoma, from 1920 until February, 1924. I had charge of the sales and salesman who used to bring prospective buyers of Ford cars into my office and my business was to close the deals. I have closed hundreds and hundreds of such deals in this manner without being acquainted with the purchasers except just by talking to them at the time that certain respective deals were closed. I recall the face of the man supposed to be JNO. RAMSEY, although I don't remember the name. I have a faint recollection that I had some transaction with that man in selling to him a Ford car but I don't remember whether it was a roadster or a Coupe or a Touring car, however, the records at the Wigton Motor Company at Ponca City, Okla., will clearly show that and also the name of the salesman who sold the car and who drew commission for it. I haven't seen that man before he was brought to my office but I am pretty sure that I have seen him once or twice after I closed the deal with him, either at Fairfax, or at Ponca City or at Law City, Oklahoma. I just can't recall the occasion but I am positive that I have not been acquainted with him well enough to know anything about him at all. The salesman who most likely sold RAMSEY, - if that is his name - the car and who brought him to my office to close the deal was ROY SETELAN, who worked that territory (Fairfax, Oklahoma) at that time. SETELAN is now handling real estate and fruit trees around Brennsville, Texas, and I am sure that J. M. BARKER, Sheriff of May County, at Newkirk, Oklahoma, will know SETELAN'S address as he is connected with SETELAN in business. However, the records on file at the Wigton Motor Company and particularly the sales slip of that sale will probably give more information than I can give you."

The photograph of JNO. RAMSEY, having served its purpose, is, of course, destroyed, and returned to the Oklahoma City Office with copies of this report.

REFERRED BACK TO OFFICE OF ORIGIN - OKLAHOMA CITY - NO FURTHER ACTION CHICAGO.

*J. H. L.*

W. B.

Box 826,  
New Orleans, La.,  
February 9, 1926.

Mr. T. B. White,  
Box 125,  
Oklahoma City, Okla.

Dear Sir:

Re: W.K. (BILL) HORN & JOHN RAMSAY,  
Murder Osage Indians.

Referring to your letter of February 5th,  
enclosing subpoena for one C.A. COOK, Jefferson Park, New  
Orleans, La., wanted as a witness in connection with the  
above mentioned case, I beg to advise that Agent J.H. Noonan  
accompanied Deputy U.S. Marshal Mosby, and subpoena was  
served yesterday on Mr. Cook, who advised that he would leave  
here February 9th for Guthrie, Oklahoma.

Yours very truly,

E. B. SLIK,  
Agent in Charge.

c/c Director #2.

FEB 15 1926

RECORDED & INDEXED

62-5033-325

*[Handwritten signature]*

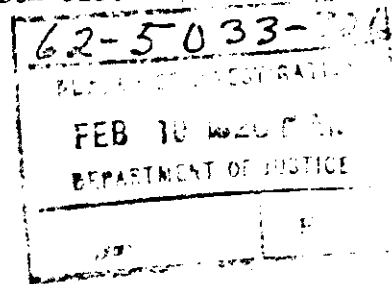
1763



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5 ADDRESS REPLY TO  
6 "THE ATTORNEY GENERAL"  
7 AND REFER TO  
8 INITIALS AND NUMBER  
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12 DEPARTMENT OF JUSTICE  
13 WASHINGTON, D. C.  
14

15  
16  
17 Guthrie, Okla.  
18 Feb. 3, 1928.  
19 P. O. Box 213.  
20



Hon. J. Edgar Hoover,  
Department of Justice,  
Washington, D. C.

Dear Sir:

I understand that Mr. Luhring and Mr. Parmenter will be in Oklahoma the 12th of this month.

As you know our Grand Jury in the Osage Murder cases reconvenes on that date. I know that you are a very busy man, but if your engagements permit, I would like very much for you to come to Guthrie and be here at that time. There are a number of the boys of the Bureau of Investigation, who have never had the pleasure of meeting you, and I feel that it will not only be worth your while, but beneficial to the service for you to come and have an opportunity to see personally some of the splendid work they have done and are doing.

By separate letter, I am writing to you with reference to the work that each man has done in connection with these cases, and I want you to know that whatever good results have been obtained or may be accomplished is due to the faithful and indefatigable efforts of the boys of your Bureau, and that I claim no credit for myself.

If you should come, I suggest that you get in touch with Mr. Luhring and you and he let us know when you will be here, in order that we may make hotel reservations for you.

with kindest regards, I am,

Sincerely yours,  
*Edwin Brown*  
Edwin Brown.

EB/L

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J. H. H. H.

February 9, 1926.

62-5633-326

FEB 11 1926

UNITED STATES DEPARTMENT OF JUSTICE

Mr. Edwin Brown,  
P.O. Box 513,  
Guthrie, Okla.

My dear Mr. Brown:

I received your letter of the 5th instant, in which you express your desire to have me ~~leave~~ Oklahoma at the time of the grand jury proceedings in connection with the Osage Indian murder cases. I note that Mr. Luhrin, and Mr. Farmer are also planning to be there at the time.

Nothing would give me greater pleasure than to be able to be on hand when this matter comes to a head for I have followed with considerable interest the work of our Agents in the Osage cases and know what handicaps they have been up against and what obstacles have been in their way, but it looks to me as if they have finally been able to get to the bottom of this situation. I personally hope that I can at some date in the very near future get out to Oklahoma and hope it will be before the conclusion of the trials. Unfortunately, at the present time I am pretty well tied up at Washington with matters before Congress in connection with our appropriations and other investigations, and you know how impossible it is to get away under such pressure.

I want you to know that I certainly do appreciate the very great interest which you have taken in matters in Oklahoma. I believe that were it not for the attention which you have given to them the results which have finally been obtained would never have been accomplished. Give my very best regards to all the men who are working on this case and let them know that I not only officially but personally appreciate their indefatigable application to duty.

With expression of my best regards and hoping I will see you at an early date in Oklahoma, I remain,

Sincerely yours,

Director.

1765

WGC:JEM

62-5033

100022

February 9, 1926.

Mr. E. M. White,  
P. O. Box 125,  
Oklahoma City, Okla.

Dear Sir:

Reference is made to your letter of the  
third, which regard to one WILL KING, brother-in-law  
of E. M. White, understood to be employed in one of  
the Departments at Washington. I have made inquiry  
at this Department, but the records here do not show  
that KING is employed in the Department of Justice.  
However, I am referring the matter to our Washington  
Office in an effort to have him located and in instruct-  
ing them to advise you of their findings.

Very truly yours,

Director.

62-5033-32

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FEB 10 1926

FBI - OKLAHOMA CITY

10766

THIS CASE ORIGINATED AT Oklahoma City, Oklahoma.

REPORT MADE AT: Omaha, Nebraska.	DATE WHEN MADE 2-9-28	PERIOD FOR WHICH MADE 2-6-28	REPORT MADE BY. J. P. GREEN
TITLE K. HALL, ET AL			CHARACTER OF CASE ATTORNEY GENERAL INVESTIGATION

(Oklahoma File 70-5- )

SYNOPSIS OF FACTS:

Interviewed Robert M. B. Rutherford, alias J. R. Nelson, at Nebraska Penitentiary, who does not remember seeing Subject RAILBY at GRAMMER or HALL Ranch, and only once saw Subject RAILBY with Subject HALL.

REMOVED FROM OFFICE OF ORIGINAL SUPERVISOR ACTION UNIT.

DETAILS:

Reference is made to report of this agent, dated 1-23-28, and letter of Special Agent in Charge, T. B. White, of the Oklahoma City Office, dated February 3, 1928, entitled as above.

at Nebraska State Penitentiary, Lincoln, Nebraska.

Interviewed Robert M. B. Rutherford, alias J. R. Nelson, #9051, who informed Agent that because the sight in one of his eyes was entirely gone and his other eye was partly perforated with scar on its vision, he was unable to clearly see photograph of Subject RAILBY, and so could not identify Subject RAILBY by picture of Subject RAILBY shown him. Rutherford was casually acquainted with Subject RAILBY, and after failing to identify photograph of RAILBY, Rutherford described Subject RAILBY to Agent, which corresponded with description of Subject RAILBY as given by the Oklahoma City Office. In reply to questions by Agent, Rutherford made the following statement:

DETAILS:

"I have known Subject RAILBY ever since the war, but have never been intimately associated with him, nor do I remember any details of my conversation with him. Subject RAILBY is a farmer living near Fairfax, Oklahoma. I do not remember seeing RAILBY either at Henry Grammer's or W. H. Hall's ranch at any time, nor seeing RAILBY with Ernest Burkhardt or his brother Bryan Burkhardt. While probably I have seen Subject RAILBY and W. H. HALL, together many times, the

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APPROVED AND FORWARDED: <i>J.P. Green</i>	SPECIAL AGENT IN CHARGE	62-5033-328	RECORDED AND INDEXED
WASHINGTON REFERENCE: Division #2.	COPIES OF THIS REPORT FURNISHED TO: Bureau-5; Oklahoma City-2; Omaha-2.	BUREAU OF INVESTIGATION	CHECKED OFF: M.F. 20 1928
	JRG:MSB	DEPARTMENT OF JUSTICE	JACKETED:
		ROUTED TO:	FILED:

1767

only time I now recollect seeing them together was in the fall of 1924, I believe about November. It was early in the afternoon just as it was starting to rain, I saw Subject Ramsey and Subject W. W. Hale together, I think in front of the Horseshoe Pool Hall on East Main Street, Pawhuski, Oklahoma, but I do not remember what they did after I first saw them.

"I have been in Fairfax, Oklahoma, have seen Subject Ramsey at Fairfax, Shidler, Turbant and some other Oklahoma towns, but do not remember any circumstances under which I saw him. I knew Henry Roan well; he was a hard drinking Indian and when I saw him, he was generally looking for something to drink. I have no recollection of ever seeing Henry Roan, the murdered Indian, and Subject Ramsey together, nor do I remember anything concerning Subject Ramsey securing his new Ford car or how he got it. Ramsey never talked to me about this car. I think at one time Ramsey had a Buick, but do not know anything about it."

Rutherford is broken down in health, very nervous and with very faulty memory. After Agent reread statement made by Rutherford to this Agent in aforesaid report of January 25, 1926, Rutherford said he knew no further information concerning aforesaid Indian murders. Rutherford was positive there was only one time he could definitely remember seeing Ramsey with Hale, as aforesaid mentioned, and could not remember ever having seen Subject Ramsey with either of the Burkhartson Henry Roan.

Photograph of Subject JOHN RAMSEY being returned with report for the Oklahoma City Office. X

No further information being obtainable in this District, FURNISHED REPORT TO OFFICE OF ORIGIN--NO FURTHER ACTION HERE.

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THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT: Guthrie, Okla.	DATE WHEN MADE: Feb. 8, 1926	PERIOD FOR WHICH MADE: 1/28 - 2/5	REPORT MADE BY: F. S. Smith
TITLE: U. S. VS. W. K. HALE and JOHN RAMSEY			CHARACTER OF CASE: Murder of Osage Indian Anna Brown, et al.

O. C. File #70-1

SYNOPSIS OF FACTS:

Joint report of Agents F. S. Smith, E. H. Parker, J. V. Murphy, J. R. Burger, and C. R. Davis.

Additional written and verbal statements made by Katherine Cole regarding participation of Kelsie Morrison and Bryan Burkhart in murder of Anna Brown. Additional statement made by Dewey Selph regarding plot by Bill Hale and Kelsie Morrison to kill Katherine Cole because of her knowledge of murder of Anna Brown. Informant Low working on new leads regarding Asa Kirby's part in murder of W. E. Smith, and Kirby's subsequent murder. Katherine Cole now in Kansas City, for safety. Hale's attorneys denied writ of Habeas Corpus for Linest Burkhart by State Court. CONTINUED.

Details: Re murder of Anna Brown.

Reference is made to previous reports, particularly that of Agent dated January 21, 1926.

The following additional statements have been obtained from Katherine Cole and Dewey Selph:

Guthrie, Okla., January 30, 1926.

Statement of Katherine Cole to F. S. Smith, E. H. Parker and J. V. Murphy, Special Agents of the Department of Justice.

After being warned by Mr. Smith that I do not have to make a

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APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	1-2-5033-312	RECORDED AND INDEXED
WASHINGTON REFERENCE: Two	COPIES OF THIS REPORT FURNISHED TO: Washington 3 Oklahoma City 3	BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE ROUTED TO: <i>[Signature]</i>	CHECKED OFF: JACKETED 1769

statement, and that any statement I make can and may be used against me in the prosecution of the case concerning which such statement is made, and with no promise having been made me of immunity from prosecution, I make the following free and voluntary statement.

In 1921 I was married to Kelsie Morrison and living in Fairfax, keeping house. Some time in May, 1921, and about a week or ten days before Anna Brown was found murdered, and some time around eight or eight-thirty P. M., Kelsie Morrison came into the house and told me to get ready that he was going on a party; that Bryan Burkhardt was out in front in a car with an Indian woman. In a few minutes I went out with Kelsie and found Bryan Burkhardt in a Buick car sitting on the front seat, and Anna Brown sitting on the back seat. I could plainly see that Anna Brown was very drunk. Kelsie told me to get in the front seat with Bryan Burkhardt, which I did, and Kelsie got in on the back seat with Anna Brown. Bryan Burkhardt then drove south to the next corner, turning east a block or two, then south and into the Grayhorse road, going towards Grayhorse. We drove on and down the big hill, at the foot of the hill taking the old Grayhorse road continuing east. We continued on the old Grayhorse road, turning on the section line going south past George Sighart's place, then by the Grayhorse schoolhouse and on thru Grayhorse, crossing the creek at Grayhorse, taking an old road leading east to Bill Hale's ranch house. Bryan stopped his car some distance from this ranch house, and he and Kelsie got out, leaving I and Anna Brown in the car, and they went to this ranch, where one of the Burkhardt boys, either Duke or Horace, was living. Bill Smith had a ranch just west across the road from Hale's ranch where we stopped the car. Kelsie Morrison and Bryan Burkhardt were gone something like thirty or forty minutes, and returned to the car, Kelsie getting back in the rear seat with Anna Brown, and Bryan got on the front seat with me. We backed out of the road and drove north and by the Grayhorse cemetery, going north some distance, then turning west and followed the road on west until we came to a gate or entrance in a fence. Bryan drove into this entrance, going north and on down thru a pasture, where Bryan turned in by the head of a gully and drove on west beside this gully about a hundred yards and stopped the car near a tree, which stands about a hundred feet or more from the gully. Just before we stopped Bryan and Kelsie got out of the car and helped Anna Brown out of the car. Anna Brown was very drunk, and Bryan took her on the right side and Kelsie on the left and walked her off from the car, going in the direction of the ravine and towards the head of the ravine. As they started away I started to say something to Kelsie, he turned around and used some oath and continued on. I realized that they were going to do something to Anna Brown, and it scared me very much, and I was afraid to say anything to Kelsie for fear that he would do something to me. After Kelsie cursed me I did not then look to see where they went. They were gone about thirty

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minutes or possibly longer, then Kelsie and Bryan returned to the car which I was in, without Anna Brown. I then got in the back seat with Kelsie and Bryan drove the car, and as we started I asked where Anna was. Kelsie answered and said that she was over there at that other car. I told Kelsie that I wanted to go home, and they drove on to my house in Fairfax. When they got to my house, Bryan remained in the car and Kelsie went into the house with me. When we got into the house Kelsie said he was going to town. I started to ask Kelsie some question, and he turned to me and cursed me and told me to keep my mouth shut. Kelsie then got a suit of clothes and left my house, going out to the car, and told me he was thru with me, that he was going to quit. He and Bryan Burkhart drove off north. I heard the car turn and go back towards town. The following day about 3:30 or 4:00 o'clock in the afternoon Kelsie came back to the house. I had a Buick car and Kelsie had sold it, and I asked him about the money he got for it. He said he got \$100. for it, but later on I found out that he got \$450.00 for it. Kelsie showed me a paper that said he had \$2700. in the bank, and left me under the impression that it was a deposit slip. I think this deposit was in the Fairfax National Bank, for Kelsie did all his banking there. Kelsie said that his mother gave him the \$2700. His mother had been visiting us about three weeks before this time, and I knew Kelsie was not telling me the truth when he said his mother gave him this money, because she would have said something to me about it if she had. When Kelsie came to the house he had the same suit on that he wore the night we were out with Anna Brown and Bryan Burkhart. The buttons on his shirt were torn off. I believe that Kelsie filed suit against me for divorce at Fairfax. The same day he came to the house. He came to the house with his brother in a second hand Hudson speedster. I asked him where he got this car and he told me he bought it. I later found out that he bought this Hudson from my uncle, Dick Rusk, at Hominy, Okla. While at the house Kelsie seemed to be very nervous, and came in and said he would stomp me to death if I didn't keep my mouth shut. Kelsie asked me to go with him and his brother for a ride in his Hudson. We went out west of Fairfax about two miles, where there were a bunch of men, whom I think were shooting dice. We were there about thirty or forty minutes. Then we drove back to Fairfax, and I got out of the car and walked up to my mother's house.

When Anna Brown's body was found, about a week or ten days after we were riding with her in Bryan Burkhart's car, it was reported in Fairfax that they had found a dead Indian woman, but they didn't know whether it was an Osage or a Kaw. As everyone was going out to the place where the body was found, I hired a taxi and Margaret Walters and I went out to the place. When we got there the body was already in the box and I did not get to see it, but when I noticed that the body was found at the same place where Kelsie and Bryan Burkhart assisted Anna Brown out of the car the night we drove

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out the Grayhorse road, then I knew it was Anna Brown's body they  
found. I never mentioned to anyone that it was Anna Brown, or that  
we had been out riding with her. Kelsie Morrison had threatened me  
several times if I did not keep my mouth shut and I was afraid to  
say anything about it.

On the night of January 29, 1926, I went with Mr. Smith, Mr.  
Parker and Mr. Tom Hubbard to my house in Fairfax and we started  
from there going over the same route that we traveled when Bryan  
Burkhart, Kelsie Morrison, Anna Brown and I went riding the night  
that I last saw Anna Brown alive, when she was assisted out of the  
car by Bryan and Kelsie close to the ravine where her body was  
found. I would have told about this, but I did not have any con-  
fidence in the officers of Osage County, and I knew that if I told  
them, that Kelsie Morrison would soon learn about it and would  
either kill me or have someone else kill me.

I have read the above statement, and the same is true and cor-  
rect.

(Signed) KATHERINE COLE

Witnesses:

J. V. Murphy  
E. H. Parker

Verbal statement of Katherine Cole, Made January 31:

"About eight or eight-thirty o'clock, on the night Anna Brown  
was killed, Kelsie Morrison came to my house in Fairfax and told me  
to get my clothes, that we were going on a party. I asked him who  
was going, and he said that they had a squaw out there for Bryan  
Burkhart, and that they, Kelsie and I were going. When we got out  
to the car in front of the house, Bryan Burkhart and Anna Brown  
were sitting in it. I got on the front seat with Bryan, and Kelsie  
Morrison got in the back seat with Anna. We drove to a place on  
what I think is the old Grayhorse road, and stopped under a tree  
near a ravine. There was another car standing near where we stopped,  
but it had the curtains up, and I don't know who was in it. When  
the car stopped Kelsie walked around to the left side of the car,  
and Bryan got out on the left side. They went out the left back door  
and Kelsie reached in and caught Anna by the arm. They both reached  
in and helped her out of the car, Bryan being on the right side and  
Kelsie on the left side. They walked her away from the car, going  
toward the ravine. I looked out and back from the right side of the  
car and cleared my throat as to speak, and Kelsie looked back at me  
and said "you G. D. S. B., keep your mouth shut, keep quiet". They  
then walked on with Anna Brown, and I did not again look out of the  
car. I stayed in the car alone about twenty-five or thirty minutes,

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until they returned. Anna Brown was not with them, and I never saw her alive again."

Guthrie, Oklahoma  
February 1, 1926.

Statement made by Dewey Selph to Frank S. Smith in the presence of E. H. Parker, J. V. Murphy and Ed Robertson.

After being warned by Mr. Smith that I do not have to make a statement, and any statement that I make can and may be used against me in the prosecution of the case concerning which such statement is made, and with no promises having been made me of immunity from prosecution, I now make the following free and voluntary statement.

My name is Dewey Selph. I was living with my wife at Pawhuska during May, 1925. I had just got back from Colorado. Kelsie Morrison, who was in the Pawhuska County Jail, sent word to me to come to the Jail and see him. I went to the jail and saw Kelsie. Kelsie asked me if I would do him a favor. I told him I would. He said that he felt that I was the only one he could trust to do it. Kelsie said that he wanted to make some arrangement to get shut (shed) of Katherine, his wife, because she knew too much about the Anna Brown murder deal. Kelsie said that he would give me a note to Bill Hale and that Hale would fix the arrangements for getting shut of Katherine. Kelsie did not offer me any money to help him get shut of Katherine, but said that Bill Hale would foot the bill, whatever it was. Kelsie gave me the note to Bill Hale, which said that I was a friend of his, Kelsie's, and that Hale could trust me to the full extent. I did not take this note to Hale the same day Kelsie Morrison gave it to me, but it was a few days later that I went to Fairfax and found Bill Hale in a pool hall, where I gave him the note. As I remember, I believe it was the latter part of May or first day or so in June, 1925, that I gave Hale the note. When Hale read the note Kelsie Morrison sent him, he asked me if I wanted to help do the job, and I told him yes. Bill Hale told me to go on back to Pawhuska, and that he, Hale, would send a fellow to see me about the plans.

Two or three days later, when I was not at home in Pawhuska, a fellow came to my house in Pawhuska and left a note for me to call him when I came home. He left me an address to call, a hotel, which I do not remember now, in Tonkawa, Okla. This fellow gave the name of Little Skeet. When I came home I called the address he left, but I could not get him. I called again the next day and got him, and he told me he would be over in Pawhuska to see me. I told him I would either be at the Pappan Hotel or American Cafe. He came over that same day. I met him at the American Cafe. We commenced to lay our plans where we would take Katherine Morrison. We decided that I

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was to take Katherine out on a drinking party with some others and go out on Dial Hill, just back of Pawhuska; that Little Skeet was to be close by the Dial Hill in another car, and when I got out on the hill, if I had Katherine with me, I was to blow my horn, pretending that it was accidentally blown. If I did not have Katherine with me I was to flash my spot light up and down; that if I blew my horn to let Little Skeet know I had Katherine with me, then Little Skeet was to drive up to where our party was parked and hijack our party and shoot Katherine, and the rest of our party would not think that it was planned to kill her.

Little Skeet stayed in Pawhuska. During the latter part of June, 1925, just a few days before the 4th of July, I told Little Skeet that I would make up a party that night and try to get Katherine Morrison to go along. He said he would be out near Dial Hill and if I got her to go along, when I got out on the hill for me to give the signal to him.

That night I was riding around with a boy from Joplin, Missouri, whose name I have forgotten. This boy borrowed George Brunt's car. We drove down to where Marie Benson was living and I got her to go along with us. We then drove to the White House Pool Hall, where Luther Provence worked, and as soon as he got off work we picked him up in our car, then drove down to the Markie Hotel, where Luther got Katherine Morrison and a ukelele. We then drove out on 17th or 18th street and got a gallon of "choc" beer. Katherine Morrison had a gallon of "choc" hid somewhere, and we got that too. We then drove out on Dial Hill, I doing the driving then. As soon as we got out on the hill I pulled off the road and stopped. I was afraid to go through with the plans, and instead of blowing my horn to let Little Skeet know I had Katherine in our party, I flashed my spot light to let him know that I did not have her. Little Skeet, who was parked a little below us at the foot of the hill, then drove off. We drank that "choc" we had, then drove down in Pawhuska and got some "jake" (jamaica ginger). We drank this and then drove around town a while. We took Luther home, then took Marie home. Katherine would not get out at her hotel, so we drove down to the Model Rooms and got a room for her and out her to bed. She was pretty drunk then. After I put Katherine to bed, I went on down to the Pan-American Cafe, where I met Little Skeet. Little Skeet asked me what was the matter I could not get Katherine Morrison to go on the party with me. I told Little Skeet that Katherine was off somewhere drunk and I could not find her. Little Skeet then said that he did not care, that he was kind of proud of it, that he had half the money and he would just keep it anyway. He asked me if I wanted part of the \$500. Hale had given him, the half of which was to go to me, and I told him I did not want it. I was afraid of getting in a jam if I took any of the money. Little Skeet left for Tonkawa and told me he was going to leave Tonkawa, but did not tell me just where he was going.

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When I took the note to Bill Hale that Kelsie Morrison gave me, and after I told Hale that I would help put Katherine out of the way, Hale told me he would pay me \$500. for my part of it; that he would pay half of it before the job was done and he would send a guy to me with the money, and when we done the deal he would pay us the other \$500.00.

About the 12th or 13th of November, 1925, Frank Kramer, Bessie Rusk, Grace Roan Matteson and I drove in Grace's Buick car from Pawhuska to Ralston, and got in Ralston about ten or eleven o'clock that night. We drove to the Jones Hotel and I let Frank and the girls out and they took the baggage to the rooms. I took the car to the garage across from the Jones Hotel to get the extra tire fixed. The reason we drove to Ralston was because Bill Hale called me over the telephone and told me he wanted to see me. I got the call, and talked to Bill Hale from the Pan-American Cafe, but Hale called me at the Pappan Hotel. When Hale talked to me over the telephone he said he would meet me at Ralston at one of the filling stations. There are only two filling stations in Ralston. When I went to the garage and filling station to get the extra tire fixed Bill Hale was not there, so I waited a while. Finally Hale came and he asked me why we came to do him as we done. I told Hale I never did see that other guy that he was to send to me; that the guy did not come over to Pawhuska. Bill Hale then told me that he thought it would be a good idea for me to leave that part of the country for a while. I told him all right if he thought so. Hale asked me if I was broke, and I told him I was. Hale then gave me \$100. and told me to take that as that was all he had with him. Hale then asked me if I was going to stay in Ralston that night, and I told him no, that I was going to leave right out. Hale told me to be sure and leave the country. I did not leave that night, but left the next morning, with the two girls and Frank Kramer. We went from Ralston, Okla., to Arkansas City, Kan., then Wichita, Kan., then to Pueblo, Colo., then on down to El Paso, Texas. I stayed in El Paso two weeks or so, and left El Paso with Charlie Choteau for Colorado Springs, where Charlie lived. I stayed with Charlie in Colorado Springs two or three days, then left for Pawhuska, stopping on my way at La Junta and Los Animas, Colo. When I got to Syracuse, Kansas, the police picked me up there where I stayed in Jail until the Department of Justice brought me to Guthrie, Oklahoma.

I have read the above statement, and the same is correct and true.

(Signed) DEWEY SELPH

Witnesses:

Ivy Long

E. H. Parker.

Dewey Selph now claims to know nothing about the Anna Brown mur-

1775

der other than what he has read in newspapers and gathered in conversation.

Agents, realizing the possible danger to the life of Katherine Cole, who is an Osage, should it become known to the Hales and Burkhardt's that she had divulged facts to the Government concerning the murder of Anna Brown, and should she remain in the vicinity of Osage County, advised her of such danger. She agreed to go to Kansas City and there remain until such time as her attendance to give testimony is desired. Following is a self explanatory communication from Katherine Cole.

Guthrie, Okla.  
Feb. 4, 1926.

Mr. T. B. White,  
Dept. of Justice;  
Oklahoma City, Okla.

Dear Sir:

As you know, I have made a statement regarding the Anna Brown murder, in which statement I have involved Bryan Burkhardt and Kelsie Morrison in the murder.

I am afraid to return to Pawhuska and live, as it might become known that I have made a statement and I might be did some bodily harm. As I believe it would be best for my health and protection, I would like to go to Kansas City and stay until the Grand Jury meets at Guthrie on Feb. 12th. I want you to send some one along with me to Kansas City to see that I am not harmed on the way there. I will pay my own ~~expenses~~ way there and my expenses while at Kansas City, and agree to return to Guthrie when I am wanted there.

Yours very truly,

KATHERINE COLE.

Re murder of W. E. Smith.

Dr. Henry Beard, now of Ponca City, Okla., stated to Agents Burger and Davis that Asa Kirby was brought to him at Shidler by Fred Tindal, alias Wetumka; that Kirby was badly shot in the shoulder, and when Dr. Beard asked him what had happened Kirby replied "that's none of your damn business". Dr. Beard told him the arm would have to be amputated and Kirby's reply to that was "if you have to do that, just cut off my head". -Kirby died the following day, and never made a dying statement.

A confidential informant located and interviewed Fred Tindal, alias Wetumka, at Ponca City. Tindal told the informant the following: Tindal, his wife, and Asa Kirby were living together. On the

-1776

day that Kirby was shot Tindal loaned Kirby his car. Kirby then left the car in his own car, stating to Tindal that some friends of his had a commission to make some real money, and that Kirby was going to look it over. That night two men drove up to Tindal's house in Kirby's car, and had Kirby with them, badly shot. Tindal claims he had never seen these men before, and does not know who they are. He corroborated Dr. Beard's statements. Tindal says that he knows and will see a man in Tulsa, Okla., who can give him the names and locations of the two men who were with Kirby when he was shot, and also the name and address of the man who shot him. Tindal claims to be anxious to do all he can.

Attorneys for Hale, appearing as attorneys for Mollie Burkhart, filed a petition for a writ of habeas corpus, in the State Court, at Oklahoma City, asking that Roy St. Lewis, Edwin Brown and T. E. White be ordered to produce Ernest Burkhart. Arguments were made, and the petition was denied.

Continued.

1777

✓  
EN:JL

100021

CONFIDENTIAL & INDEXED

February 10, 1926.

Mr. T. B. White,  
P. O. Box 125,  
Oklahoma City, Oklahoma.

62-5033

Dear Sir:

I am inclosing herewith photostatic copy of a newspaper article appearing in the Washington Times, issue of January 12, 1926, referring to the Osage Indian cases.

I desire to call your attention specifically to the following statement in said article:

"Today it was further said that the orders to stop the original investigation came directly from the Department of Justice Bureau of Investigation in Washington."

Will you please advise me fully and in detail as to the background or basis for this assertion, the individual responsible therefor and any and all details connected therewith.

Very truly yours,

Director.

Enc. 30840

62-5033-330  
FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE

17778

NIGHT MESSAGE  
NIGHT LETTER | N L

none of these three symbols  
appears after the check (number of  
symbols) this is a telegram. Other-  
wise its character is indicated by the  
symbol appearing after the check.

# TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

INTERNATIONAL TELEGRAMS  
If you wish to send a telegram  
add the following to the message  
word "collect" for collect message  
word "adv" for advance payment  
symbol "adv" for advance payment

The filing time as shown in the date is for full rate telegrams and day letters, and the time of arrival at destination as shown on all messages, is STANDARD TIME.

Received at Commercial Nat'l Bank Bldg., 14th & G Sts., N. W. Washington, D. C. ALWAYS OPEN

11 KA178 16 COLLECT GOVT

100020

GUTHRIE OFLA 13 434P

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15 J E HOOVER 2185

16 DIRECTOR BUREAU OF INVESTIGATION DEPT OF JUSTICE WASHINGTON DC

17 W K HALE AND JOHN RAMSEY REINDICTED BY FEDERAL GRANDJURY TODAY

18 FOR MURDER HENRY ROAM

19 TWO WHITE.

REC'D

*Handwritten:* J. M. ... 12

62-5133-30  
FEB 15  
DEPT. OF JUSTICE

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1999



THIS CASE ORIGINATED AT Oklahoma City, Okla.

REPORT MADE AT: Washington, D.C.	DATE WHEN MADE: 2-12-26	PERIOD FOR WHICH MADE: 2-10-12-26	REPORT MADE BY: D. W. STEWART.
TITLE: WILLIAM KING and JOHN HANSLY MEMBER OF CBAS. WILLIAMS.			CHARACTER OF CASE: Req. locate Will King.

100019

SYNOPSIS OF FACTS:

"Will" King not found in City or Telephone Directories of Washington, D.C., and not shown on classified Civil Service list in this city.

Referred back to office of origin - no further action here.

Details:

Reference is made to the memorandum of the Director, dated February 9, 1926, initialed W.S.M., forwarding a copy of a letter dated February 2nd, from the Oklahoma City office, with regard to "Will" King, a brother-in-law of E. H. Hale, principal in the Case Murder cases. This office is requested to ascertain exactly where this man is in the Government service in Washington, and advise the Oklahoma City office.

Agent communicated with Mr. Bartlett, Chief, Mail and Files Division, Civil Service Bureau, Washington, D.C., and finds there is no "Will" King on the classified Civil Service list. There are, however, a number of William Kings, with and without middle initial. The City and Telephone Directories also show a large number of William Kings. A search has been made of the records of the Interior Department, with a view of locating a "Will" or William King, and only one Will King is found. This man is a forest ranger of the Yellow Stone National Park. He is at present on furlough and his present whereabouts are unknown to the Interior Department.

If the Oklahoma City office will furnish more definite information in regard to "Will" King, particularly his surname and initials, a more intelligent effort can be made to locate him in this city, through the Government service.

REFERRED BACK TO OFFICE OF ORIGIN - NO FURTHER ACTION HERE.

DO NOT WRITE IN THESE SPACES

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	RECORDED AND INDEXED FEB 15 1926
WASHINGTON REFERENCE:	COPIES OF THIS REPORT FURNISHED TO: Bureau - 3 File 1 Oklahoma City - 2	CHECKED OFF: JACKETED:
	DEPARTMENT OF JUSTICE	
	ROUTED TO:	

1780

DAY LETTER	BLUE
NIGHT MESSAGE	NITE
NIGHT LETTER	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

# INTERNATIONAL TELEGRAM

NEWCOMB CARLTON, PRESIDENT      GEORGE W. E. ATKINS, FIRST VICE PRESIDENT

NIGHT MESSAGE	NITE
NIGHT LETTER	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

Time of receipt at destination as shown on all messages, is STANDARD TIME. Commercial Nat'l Bank Bldg., 14th & G Sts., N. W. Washington, D. C. ALWAYS OPEN

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DIRECTOR

2005

BUREAU OF INV DEPT OF JUSTICE WASHINGTON DC

IF IT POSSIBLE FOR YOU TO GET AWAY THINK YOU SHOULD BY ALL MEANS

BE AT GUTHRIE FEBRUARY TWELFTH THE DATE THE OSAGE INDIAN

MURDER CASES ARE SCHEDULED TO BE RESUBMITTED TO THE FEDERAL GRAND

JURY YOUR PRESENCE THERE WOULD ADD TO THE EFFECT OF THE CASE AND WOULD

ALLOW YOU TO GET FIRST HAND INFORMATION

ONE WORD

62-5055-335  
FEB 15 1961  
DEPARTMENT OF JUSTICE

*Rec'd 7:30 AM  
[Handwritten initials and signatures]*

1781

JEN:MO'B

100007

FEB 16 1926

February 12, 1926.

62-5033-333

PERSONAL

62-5033

Mr. T. B. White,  
P. O. Box 125,  
Oklahoma City, Okla.

Dear Sir:-

I received your telegram of the 9th instant, in which you urge that I be in Guthrie on February 12th, the date set for the resumption of the Osage Indian Murder cases. I think you know how deeply interested I have been in these cases and if it had been possible for me to have been in Guthrie on the 12th I would certainly have done so. However, we have just been completely swamped at Washington, with hearings before the Appropriations Committee and before other Committees of Congress which have started to investigate various cases in the Department of Justice. Consequently, I have been compelled to sit close to the scene of hostilities. I have, however, closely followed every report that has come in in connection with the Osage Murder cases and talked with Assistant Attorney General Lubring just before he left for Oklahoma.

I do hope that when the trial of these cases comes up that conditions at Washington will enable me to get away for a few days and to be at Guthrie when they are tried as I want to get first hand information and also want to personally convey to each of the men who have been devoting so much of their time and energy to these cases my official and personal appreciation of their loyalty to the service.

With expressions of my best regards, I am,

Very truly yours,

Director.

1782

Department of Justice.

TELEGRAM RECEIVED.

Oklahoma City, Oklahoma

February 16, 1936

Handwritten '2' and a large checkmark.

Director,  
Bureau of Investigation  
Department of Justice  
Washington, D.C.

Agents Smith and I are leaving to-morrow for El Paso from there to go and have further interview with Ernest Burkhardt witness in the Ramsey case Mr. Luhring understands this arrangement and will be able to advise you fully

ONE WHITE

Rec'd & Decoded  
5:45 P.M.  
\*FCG

Handwritten '6'

FEB 19 1936

2-5033-383
BUREAU OF INVESTIGATION
FEB 17 1936
DEPART. OF JUSTICE
Div. 1

1783

Department of Justice

TELEGRAM RECEIVED

Oklahoma City, Okla.  
Feb. 18, 1926.

Director

Agents Smith and I are leaving for El Paso from there to go and  
have further interview with Ernest Burkhardt, witness in  
Hamsey case. Mr. Loring understands this arrangement and will  
be able to advise you fully.

One White.

Rec'd. 11:25

Decoded J

To Director 11:35

16  
FEB 18 1926

62-5033-335

RECEIVED  
FEB 17 1926  
DEPARTMENT OF JUSTICE  
BUREAU OF INVESTIGATION

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1784

Department of Justice,

Bureau of Investigation.

P. O. Box 125,  
Oklahoma City, Oklahoma.  
Feb. 8, 1926.

Mr. J. Edgar Hoover, Director,  
Bureau of Investigation,  
Department of Justice,  
Washington, D. C.

PERSONAL AND CONFIDENTIAL.

Dear Sir:-

In re: OSAGE INDIAN MURDER CASES.

I have your letter in the above connection, under Personal and Confidential cover, of Feb. 3rd, in which you again notify me to release the Agents specially assigned to these cases as soon as possible - at least release a number of them.

I am very sorry to have to hold these men on this assignment such a long time, but I have just been compelled to do so for it appears that since we have opened up this case that I am having more work than ever to do on the case. I have, as you know, assigned Special Agent Alex Street and John Wren to take care of Ernest Burkhart, one of the very important witnesses in this case. The others, I have had running down various bits of information in the case and at the present time they are busily engaged in rounding up a number of witnesses whom we want present at the re-convening of this Grand Jury at Guthrie, Okla. on Feb. 12th.

It may be possible that shortly after that time I will be able to release some of these Agents. I am of the opinion now that it will be possible for me to release Agent L. H. Parker and Granville Grimes. Of course, subsequent developments may prevent this, but I am going to do everything I can, however, to release them. The defendants and their attorneys, however, are putting up a warm fight and it has been a difficult task for us to keep what we have already gotten in this case as they have endeavored every way possible to wring from our hands the evidence which we have obtained.

I believe I have reported to you some of the difficulties that we are having and I can venture the statement that we are not through yet and will not be through until after the case is tried. In fact, the fight just began when we indicted these parties. Now that we have it, I would like to, of course, keep it and in order to do this, I will have to have the assistance of the Agents who are familiar with the case.

FEB 8 5 1926

62-5033-331

RECORDED & INDEXED

U.S. DEPARTMENT OF JUSTICE  
BUREAU OF INVESTIGATION  
FEB 17 1926

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2:-Director.

At the present time, we are not only holding what we have, but we are getting some very good additional information and I am having run down every bit of information that comes to the office, for I do not think that we will ever be able to get too much information in this case.

Please have my assurance that I will do everything I possibly can to release these men just as soon as possible as I know how to appreciate, I believe, the need of these men in their respective territories.

Yours very truly,

*A. B. ...*  
Special Agent in Charge.

TBM:W.

1786

Department of Justice

TELEGRAM RECEIVED

Oklahoma City, Okla.

Feb. 17, 1926.

Director

Fifty names drawn for juror to appear Oklahoma City twenty third and fifty more will be drawn between now and then for appearance later. From these men we are to select jury to try Hale and Ramsey, very necessary that detailed check be made of them. Have taken ten agents from field here to assist. Will need more. Can you furnish Hansen, Sticken, Argowright, Brenziman and Maher to do this work, as well as to assist during trial. These men are named on account their fitness for investigation and most of them are familiar with Oklahoma territory. This important as will necessitate quick action. Have arranged immediate investigation this matter and upon my return in few days will personally supervise. Am compelled to go El Paso as Burkhardt sends word to return talking to me.

One White.

Rec'd. 2:10

Decoded J

To Director 2:30

RECORDED & INDEXED

FEB 14 1926

62-5033-337

FEB 17 1926

SEARCHED

SERIALIZED

INDEXED

FILED



1787



FEB 24 1926

February 19, 1926.

JEH/LAM

62-5033-337

CODE

White,  
Federal Building,  
Okla. City, Okla.

Relative your wire seventeenth requesting additional agents in  
in Okla matter have directed Agents Erdman and Axson located  
Norma City reporting to you for this special assignment. Impossible  
assign other agents named because of previous demands. Make every  
effort to handle situation with Agents already assigned. Enc.

HOOVER.

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J. Edgar Hoover

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Department of Justice

Bureau of Investigation

P. O. Box 125,  
Oklahoma City, Oklahoma.  
Feb. 17, 1926.

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ATTENTION: DIVISION NO. 2.

Director,  
Bureau of Investigation,  
Department of Justice,  
Washington, D. C.

Dear Sir:-

In re: W.K. (BILL) HALE - JOHN REMMY,  
Murder Osage Indians.

For your further information in the above connection,  
in the abstract form reports that I mailed you sometime ago,  
I am enclosing additional information as well as a revised  
dex.

This you can have someone place in the abstract file,  
as given on the notations attached.

Yours very truly,  
*T. B. White,*  
T. B. White,  
Special Agent in Charge.

T.B.W.  
-enc-

RECORDED & INDEXED

62-5033-338  
SEARCHED  
SERIALIZED  
INDEXED  
FILED

FEB 25 1926

L789

1.

ERNEST BURKARD  
Fairfax, Okla.

2.

Made the following statement to T. S. Smith and A. B. White on January 6, 1936.

Page 886  
Par. 1.

3.

Some time several weeks before Henry Roan was found murdered, I went with Bill Hale to Henry Grammer's ranch, and while there Bill Hale called my attention to a man who was there working for Grammer, and told me this man's name was John Ramsey, and that he was a man who would stand pat and keep his mouth shut. That on one occasion in the past Henry Grammer was caught with some stolen cattle and that Grammer got Ramsey to say that he, Ramsey, stole the cattle, which cleared Grammer and that Ramsey served a sentence in McAlester Penitentiary for the theft of these cattle. Some time about one year and a half before Roan's death Hale took out a policy on Henry Roan's life for twenty-five thousand dollars, and told me the reason he got this policy was on account of the fact of Henry Roan having family trouble and drinking very hard and he had made one attempt to commit suicide, and he did not figure he would live long. After Hale and I left Grammer's ranch, and after he pointed Ramsey out to me, Hale said he would put Ramsey on Henry Roan's trail, that Ramsey would either give him some poison whiskey, or shoot him and lay a gun beside him and everybody would think he committed suicide. A few days later Ramsey came down to Fairfax and I was walking down the street and ran in to Ramsey and Bill Hale talking something about buying a Ford Roadster at Ponca City. Ramsey

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Subpoena

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ERNEST BURKHART

(Continued)

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than left, stating he would go to Ponca  
by way of Pawnee and Perry over Santa Fe  
and Erisco. After Ramsey left, Hale told  
me he had given Ramsey the money to buy a  
Ford Roadster, as Ramsey had no way to get  
around and kill Roan and get away, that it  
would be necessary for Ramsey to steer  
Roan around and keep up with him and get  
him to a place where he could bump him.  
In a few days Ramsey returned to Fairfax  
in a new Ford Roadster, which I understood  
he bought at Ponca City. I saw Ramsey a-  
round town in this car for the next few  
days. About a week before Henry Roan's  
body was found, Ramsey walked up to me on  
the street at Fairfax and inquired for  
Hale. I told him I did not know where he  
was. Ramsey then told me to tell Hale the  
job was all right and not to worry, that  
it happened out in the Sol Smith pasture,  
I later saw Hale and told him what Ramsey  
had said. Ramsey left Fairfax, going to  
his home at Ripley. In a few days Ramsey  
came back to Fairfax, and later went to  
Grammer's place. Shortly thereafter Henry  
Roan's body was found dead in his car. A  
few days later Ramsey came back to Fairfax  
and stayed a short time and went on to Rip-  
ley. Some time after Roan's body was found,  
possibly a month later, Bill Hale told me he  
had paid Ramsey the balance he owed Ramsey  
for killing Roan, which made the job cost  
him the Ford car and the balance, being a  
total of one thousand dollars. Some time  
after Roan was found dead I asked Ramsey

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ERNEST BURKHART

(Continued)

how it happened, and Ramsey said he met Roan on the road running from Fairfax to Burbank and got in Roan's car with him, sitting on the back seat, and they drove off and under the hill, he telling Roan they would take a drink, and when they got to the right place out of sight of the road, he shot Roan, and walked back to the top of the hill where he had met Roan and left his car, and drove on in to Fairfax. He told me he shot Roan with a .45 automatic pistol.

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1.

JOHN RAINSEY  
Guthrie, Okla., Jail

2.

Had following statement to E. S. Smith  
and P. B. White on January 6, 1926.

3.

Page 884  
Par. 1

4.

Defendant.

Some time in the early part of 1923, the date I don't recall, Bill Hale came to Henry Grammer's ranch where I was working for Grammer selling whiskey. I was in the bunk house, and Henry Grammer called me. I went out and saw him and Hale standing together. I walked over to them, and the three of us walked out several yards to a road and stopped. Henry Grammer turned to me and said that Hale had a little job he wanted done, and asked me if I would do it. I said "it depends on what the job was". Grammer said he wanted an Indian bumped off. I said "that's different". Hale, Grammer and I then talked the matter over for a few minutes. I don't recall just what was said, but I remarked that I would look it over, and I went back to the bunk house. In a few days Grammer told me that Hale was getting anxious to have that job done. As I remember, the next time I saw Hale was in Palfax, and we had another talk about the Indian he wanted killed, and I told him I would do the job but that I did not have any way to get around. Hale said he would see me in a day or two or in a few days. I again met Hale at Grammer's ranch and Hale told me he was going to buy

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1793

JOHN RAMSAY

(Continued)

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me a car, and gave me five hundred dollars. He said about where I would buy the car, and I said I would buy it in Ponca City, and something was said about my getting over there, and Hale said he would drive me over to Pawnee, which he did, and I caught the train there and went to Ponca City where I bought a new Ford Roadster from the Ford Garage. Before I received the car I made application and the Ford people secured license. I drove back to Grammer's ranch. At some stage of the game, Hale pointed out to me the Indian that he wanted killed, on the street in Fairfax. I don't remember Hale ever telling me the Indian's name. Several days after Hale pointed this Indian out to me I met this Indian in a restaurant in Fairfax, and he sat down beside me and I smelled whiskey on his breath and we got into conversation about whiskey and I told him I could get him some. He said he wanted some and I told him to meet me out on the road running through Sol Smith's pasture about 10 o'clock and I would meet him and have the whiskey for him. I left him and went to Grammer's and got some whiskey and drove back on the road leading through Sol Smith's pasture and found this Indian sitting in his car waiting at a point near Salt Creek. I drove up and got out of my car and we took several drinks from a bottle I had. I then got in my car and went to Fairfax. Several times after that I met this Indian and gave him drinks. This went on for several days, and I was trying to rib up a lit-

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JOHN RAMSEY  
(Continued)

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the more courage. Finally, one day, I decided to pull the job, everything being favorable. So I told this Indian to meet me out on the road running through Smith's pasture, that I would have some whiskey for him. I told him about what point on the road I would meet him. Some went out on one road and I on another. We met about the foot of the big hill near Salt Creek. I motioned to him to go up on top of the hill, which he did, and stopped. I drove up and I saw a car coming, and I told him to drive off under the hill which he did. I got out of my car, and when the car I had seen passed I then walked down under the hill where I found him waiting for me. He got out of the car and we sat on the running board of his car and drank what whiskey we had. The Indian then got in his car to leave, and I shot him in the back of the head. I suppose I was within a foot or two of him when I shot him. I then went back to my car and drove to Fairfax. In a few days I saw Hale and told him enough for him to understand that I had killed the Indian. Some time later I again met Hale and there was something said about paying me the balance of five hundred dollars, Hale saying he would pay it a little later as he would have more money then and I told him that was all right, that I didn't need it then. Some time within a month or 2 Hale paid me the balance due me of five hundred dollars. Some several days, I don't remember just how long,

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JOHN RAISEY  
(Continued)

but something like ten days, this Indian's  
body, that I killed, was found, and as I  
remember, that was the first time I found  
that his name was Henry Roan.

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JOHN RAHSEY  
Guthrie, Okla. Jail.

Made following statement to Agents F. S. Smith, J. V. Murphy and F. B. White, at Guthrie, on January 7, 1926:

On January 5, 1926, I made a statement to Mr. Smith and Mr. White concerning my being hired by Bill Hale to kill and Indian who I later learned was Henry Roan, and gave them all the details as near as I could remember them as to just how I killed him, and the arrangements I had with Hale to kill him and the money and other things I received for doing the job. I did not in that statement tell any of the facts concerning the murder of Bill Smith that I know of, and, wanting the Government to know everything, I now wish to tell all I know about the killing of Bill Smith and family.

As I remember, before I was hired to kill Henry Roan, through talking with Henry Grammer, where I was then selling whiskey, I knew that Bill Hale wanted Bill Smith murdered, and I knew that Henry Grammer was helping Bill Hale to arrange to have him killed. I can't remember right now the different conversations I had with Grammer which convinced me they were going to kill Smith; I can't say for sure whether it was before I killed Henry Roan or after that Grammer told me that he had a man to do the job and told me it was Asa Kirby, and in a little while after

Do not dent.

91-2

4797

JOHN RAMSEY  
(Continued)

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Gremmer told me Asa Kirby showed up at Gremmer's; that was the first time I met him. Gremmer was very drunk, and he, in the presence of Asa Kirby, told me Kirby was all right, that he would do that job he wanted done, and for me to help Kirby all I could. Kirby then talked to me, and asked me what was the job that Gremmer wanted done; I told him that he wanted a squaw man killed down near Fairfax, by the name of Bill Smith; Kirby then said well, I wasn't figuring on staying here long, and wanted to know what there was in it for him; I told him that I did not know; he said well, I will see Gremmer and talk it over with him. I don't remember now other little details of the conversations, but I do remember that the next thing I took Kirby down near Grayhorse where Bill Smith was living on a ranch and pointed out Bill Smith's house to Kirby. The next thing I remember in some way I heard that Bill Smith left the country and had gone to Arkansas; in fact Ernest Burkhart told me that Smith had gone to Arkansas, but he did not think he would be gone long, and for me to tell Kirby. I told Asa Kirby what Ernest Burkhart had told me; the next thing that followed, and I don't know how long after, Ernest Burkhart came to me and told me that Bill Smith had come back from Arkansas, and then took me and showed me a house in Fairfax that Bill Smith was going to

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1798

JOHN RAMSEY  
(Continued)

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more into. The next thing that happened  
Ernest Bulchert came to me at Ripley,  
where I had my family, and told me that  
Bill Smith had moved into town, and told  
me to tell Asa Kirby that everything was  
ready, or words to that effect, and tell  
him as quick as I could. I told Ernest  
my wife was sick, and I would go as soon  
as I could get away; I am not sure what  
er I went after Kirby that day or the  
next day. I drove to a little oil town  
as I remember, either Webb City or Cooper,  
where Kirby runs a rooming house, and met  
Kirby and told him everything was ready  
and I would take him down and show him  
the house. Kirby and I drove to Fairfax  
and I showed him the house that Ernest  
said that Bill Smith where there was any  
asked me if I knew where there was some  
"soup" and said Henry Grammer had some  
and if I knew where it was, and I told  
him I did not; then there was something  
said about there being plenty of "soup"  
stored in the oil field and there would  
be no trouble for him to get it if he  
needed it. That he was not sure whether  
he would blow up Smith or shoot him. As  
I remember I went on home, and I suppose  
Kirby went home. I don't recall exactly  
when, but soon after that, possibly the  
next night, Smith's house was blown up.  
At some stage of the game, I don't ex-  
actly recall when, before the blow up,  
I asked Asa Kirby if he needed any help

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JOHN HANSEY  
(Continued)

to do the job, and he said no. Some few days, I don't recall just how long after the Smith blow up, I met Kirby and he told me something about doing a good job; after the blow up I talked with Grammer and he asked me if I had seen the blow up and he said it was a fair or good job. I will say in possibly a week after that I went to Fairfax and saw the blow up; neither Hale nor Grammer paid me anything for the part I did in this. I was supposed to be just helping out. But at different times since the blow up Hale has given me money, and whenever I needed a little money I let Hale know it, and he never failed to favor me. Henry Grammer told me that he paid Asa Kirby for the job, and I asked Asa if he got a settlement for the job, and he said Henry Grammer paid all but a little; that Grammer came up to pay him all but got on a drunk and spent a few hundred dollars, but later paid it all.

I have made this statement because it is the truth, and before I got mixed up with Henry Grammer I did not think it would be possible to do the things I did do.

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1880

FRED RINDAL, alias  
REYNOLDA

Phone City, Okla.

Dr. Beard stated that Asa Kirby was brought to him at Shidler by Fred Rindal; that Kirby was badly shot in the shoulder and when Dr. Beard asked him what happened Kirby replied "that's none of your damn business". Kirby died the following day and never made a dying statement.

Rindal stated to John Gregg that he, his wife, and Kirby were living together; that on the day Kirby was shot Rindal loaned Kirby \$20. Kirby then left the house, saying that some friends of his had a deal on to make some real money, and that he, Kirby, was going to look it over. That night two men brought Kirby home, badly shot. Rindal claims that he does not know who these men are, but can and will ascertain their names and addresses, and also the name and address of the man who shot Kirby.

Page 204  
Rev. 4

Subpage

97-B

1.  
FREDERIC BOURKLARE  
Fairfax, Oklahoma.

(Continued)

2.  
Re the following statement to Agents W. S. Smith, John K. Wren and P. B. White, at Cushing, Oklahoma, January 6, 1926.

3.  
Page 282  
Per. 1

4.  
Subj. name.

On this date, having made a detailed statement to Mr. Smith and Mr. White, setting out all information then in my possession concerning the murder of Henry Ross, the following details concern the murder of W. E. Smith and Family.

Some time in 1918 there was a money transaction between Bill Hale and W. E. Smith in which Hale loaned Smith \$5,500.00. As I remember, some time in 1920, or possibly in 1919, Hale told me that W. E. Smith had given him, Hale, a check for \$6,000.00; that \$5,500.00 of this money would cover the amount Smith owed him, and the \$500.00 would cover interest. Some time later I was at Bill Hale's ranch, and W. E. Smith drove up with his wife, and I saw Hale and Smith talking. I was at the barn, about one hundred yards away. In a short time Smith and wife left. After they had gone Hale came to the barn and told me that Smith wanted him, Hale, to give him, Smith, back the \$6,000.00 check that he, Smith, had previously paid him, Hale, Smith trying to leave the impression with his wife that Hale owed him, Smith, \$6,000.00. In a very short time Smith again drove up, by

1802

ERNEST BURKHART

(Continued)

1. Hale went out to where Smith himself. Hale went out to where Smith was and they talked for about 20 minutes and Smith again left. Some time after Smith left Hale told me that he was not going to give the money back to Smith; that he had waited too long before Smith had paid him. From then on bad feeling existed between Hale and Smith.

2. Some time, possibly a year or more later, Hale told me he believed he could have Smith bumped off some time. Later Hale told me he believed he would have Smith bumped off. Later, in conversation, Hale told me that he had either been to see Al Spencer, or thought he would go to see Al Spencer and get him to bump Smith off. This conversation, the best I can recall, was some time about one year before left, was some time about this time some-thing happened to Spencer. I don't remember what, and Hale said something to me about not knowing where he was and something about getting Fred Rowe to go with him to see Spencer. Later Hale told me he was going to see Grammer and get him to furnish a man to bump Smith, and he did go, or at least left and said he was going to Grammer's. About a week later Hale told me that Grammer told him that he would have Blackie Thompson do it; that he had rather trust Blackie than any one. Hale said he would go and see

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Al Spencer; that he did not know where Spencer was, but he would get Fred Rose to go with him and get Max Billingsley and Max Billingsley would tell him. About two or three weeks after this he said that he had talked to Al Spencer and that Al Spencer had said he would do the work. Later on Hale said that Al Spencer was gone and out of the country and that he, Hale, would go and see Grammer, and just shortly after that he, Hale, said that Grammer told him he, Grammer, would have Blackie Thompson do it. Some time after that Hale told me that Blackie could not be found, or was out of the country.

3.

Just a few days before the blow up happened, Grammer told Hale that Aole (Aoe Kirby) would do it. That is what Hale told me. I asked Hale who Aole was, and Hale told me that Aole was one of Grammer's friends.

I believe the next thing was that Grammer and Hale were going to Fort Worth to the Pat Stock Show, and I understood that this Aole lived at Webb City, and John Ramsey lived at Ripley, and John Ramsey knew Aole.

Just before Hale left he asked me if I knew Aole, and I told him no. He said to tell John Ramsey to go to Ripley and get Aole, and that while he, Hale, and Grammer were in Fort Worth to do the job. I got Hale's Buick car and went to Ripley and

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ERNEST BURKHAIRE

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found John Ramsey. When I found him he was in a blacksmith shop. I talked to him a short while there, and then called him out into the middle of the street and told him that Hale and Grammer were in Fort Worth and that Hale said to have Acie go down and do the job. Ramsey said he could not go right then, that he had no chance to get away from his wife, who was sick. Ramsey said that he believed that he would just tell her that he was going up to Grammer's and get a little whiskey. He said he would go then and get Acie. I got the car back, figuring it would happen on that day, but it happened on the next night. When it happened I was in bed with my wife. When it first happened it shook everything. At first I thought it was thunder, then there were three or four shots fired. I saw a light on the north side. My wife went to the window and looked out and said that Perry King's house was on fire. As soon as she said that I knew what it was. This was early on the morning of the 10th.

My understanding was that Acie was going to shoot Bill Smith, but he, Acie, did not know Smith, and Smith was never out at night and never ran around with a stranger, and Acie had no chance. Hale said that Grammer told him that if he could not get a chance to shoot Smith, that he would have to put "soup" under the house and blow him up.

ESG

ERNEST BURKHART

(Continued)

Hale showed up in Fairfax about the 13th. Hale asked me about Ramsey. If I knew whether Ramsey was with Aole, or whether Aole did it. I believe he asked me if I had seen Ramsey since the blow up. He, Hale, said to me, "you don't know whether Ramsey was with him, Aole, or not?" I told him that I had not seen him and did not know whether he was or not. Hale did not tell me that he had registered at the Metropolitan Hotel while he was in Fort Worth, but I would bet you a thousand dollars that he was stopping there, and if you go there you would find that was where he stayed.

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KATHERINE COLE  
Pawhuska, Okla.

2.

Made following statement to W. S. Smith,  
E. H. Parker and J. V. Murphy, on Jan-  
uary 30, 1926.

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Page 912  
Per. 1

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Subpoena.

(Continued)

In 1921 I was married to Kelsie Morrison and living in Fairfax, Keoping house. Some time in May, 1921, and about a week or ten days before Anna Brown was found murdered, and some time around eight or eight-thirty P. M., Kelsie Morrison came into the house and told me to get ready that he was going on a party; that Bryan Burkhart was out in front in a car with an Indian woman. In a few minutes I went out with Kelsie and found Bryan Burkhart in a Buick car sitting on the front seat, and Anna Brown sitting on the back seat. I could plainly see that Anna Brown was very drunk. Kelsie told me to get in the front seat with Bryan Burkhart, which I did, and Kelsie got in on the back seat with Anna Brown. Bryan Burkhart then drove south to the next corner, turning east a block or two, then south and into the Grayhorse road, going towards Gray-horse. We drove on and down the big hill, at the foot of the hill taking the old Grayhorse road continuing east. We con- tinued on the old Grayhorse road turning on the section line going south past George Bighart's place, then by the Gray-horse schoolhouse and on thru Grayhorse, crossing the creek at Grayhorse, taking an old road leading east to Bill Hale's

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KATHERINE COLLS

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ranch house. Bryan stopped his car some distance from this ranch house and he and Kelsie got out, leaving I and Anna Brown in the car, and they went to this ranch, where one of the Burkhart boys, either Duke or Horace, was living. Bill Smith had a ranch just west across the road from Hale's ranch where we stopped the car. Kelsie Morrison and Bryan Burkhart were gone something like thirty or forty minutes, and returned to the car, Kelsie getting back in the rear seat with Anna Brown, and Bryan got on the front seat with me. We backed out on the road and drove north and by the Greyhorse Cemetery, going north some distance, then turning west, and followed that road on west until we came to a gate or entrance in a fence. Bryan drove into this entrance, going north and on down thru a pasture, where Bryan turned in by the head of a gully and drove on west beside this gully about a hundred yards and stopped the car near a tree, which stands about a hundred feet or more from the gully. Just after we stopped Bryan and Kelsie got out of the car and helped Anna Brown out of the car. Anna Brown was very drunk, and Bryan took her on the right side and Kelsie on the left and walked her off from the car, going in the direction of the ravine, and towards the head of the ravine. As they started away I started to say something to Kelsie, he turned around and used some oath and continued on. I realized that they were

1.

KATHERINE COLE

(Continued)

2.

Going to do something so Anna Brown, and it scared me very much, and I was afraid to say anything to Kelstie for fear that he would do something to me. After Kelstie cursed me I did not then look to see where they went. They were gone about thirty minutes, or possibly longer, then Kelstie and Bryan returned to the car which I was in, without Anna Brown. I then got in the back seat with Kelstie and Bryan drove the car, and as we started I asked where Anna was. Kelstie answered and said she was over there at that other car. I told Kelstie that I wanted to go home, and they drove on to my house in Yairfax. When they got to my house, Bryan remained in the car and Kelstie went into the house with me. When we got into the house Kelstie said he was going to town. I started to ask Kelstie some question, and he turned to me and cursed me and told me to keep my mouth shut. Kelstie then got a suit of clothes and left my house, going to the car, and told me he was thru with me, that he was going to quit. He and Bryan Burkhart drove off north. I heard the car turn and go back towards town. The following day about 3:30 or 4:00 o'clock in the afternoon Kelstie came back to the house. I had a Buick car and Kelstie had sold it, and I asked him about the money he got for it. He said he got \$100. for it, but later on I found out that he got \$450.00 for it. Kelstie showed me a paper that said he had \$2700. in the bank, and left me under the impression that it was a deposit slip. I think this

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KATHERINE COLE

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deposit was in the Fairfax National Bank, for Kelcie does all his banking there. Kelcie said that his mother gave him the \$2700. His mother had been visiting us about three weeks before this time, and I knew Kelcie was not telling the truth when he said his mother gave him this money because she would have said something to me about it if she had. When Kelcie came to the house he had the same suit on that he wore the night we wore out with Anna Brown and Bryan Burkhardt. The buttons on his shirt were torn off. I believe that Kelcie filed suit against me for divorce at Pawhuska the same day he came to the house. He came to the house with his brother, in a second hand Hudson speedster. I asked him where he got this car and he told me he bought it. I later found out that he bought this Hudson from my uncle, Dick Rusk, at Hominy, Okla. While at the house Kelcie seemed to be very nervous, and cursed me and said he would stomp me to death if I didn't keep my mouth shut. Kelcie asked me to go with him and his brother for a ride in his Hudson. We went out west of Fairfax about two miles, where there were a bunch of men, whom I think were shooting dice. We were there about thirty or forty minutes. Then we drove back to Fairfax, and I got out of the car and walked up to my mother's house. When Anna Brown's body was found, about a week or ten days after we were riding with

KATHERINE COLE

(Continued)

her in Bryan Burkhardt's car, it was reported in Fairfax that they had found a dead Indian woman, but they didn't know whether it was an Osage or a Kaw. As everyone was going out to the place where the body was found, I hired a taxi and Margaret Walters and I went out to the place. When we got there the body was already in the box and I did not get to see it, but when I noticed that the body was found at the same place where Kelcie and Bryan Burkhardt assisted Anna Brown out of the car the night we drove out the Grayhorse road, then I know it was Anna Brown's body they found. I never mentioned to anyone that it was Anna Brown, or that we had been out riding with her. Kelcie Morrison had threatened me several times if I did not keep my mouth shut and I was afraid to say anything about it. On the night of January 29, 1926, I went with Mr. Smith, Mr. Parker and Mr. Tom Hubbard to my house in Fairfax and we started from there going over the same route that we traveled when Bryan Burkhardt, Kelcie Morrison, Anna Brown and I went riding the night that I last saw Anna Brown alive, when she was assisted out of the car by Bryan and Kelcie close to the ravine where her body was found. I would have told about this, but I did not have any confidence in the officers of Osage County, and I knew that if I told them, that Kelcie Morrison would soon learn about it, and would either kill me or have



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someone else kill me.

, Also made the following verbal statement.

About eight or eight-thirty on the night Anna Brown was killed, Kelsie Morrison came to my house in Fairfax and told me to get my clothes on, that we were going on a party. I asked him who was going, and he said that they had a squeeze out there for Bryan Burkhart, and that they, Kelsie and I were going. When we got out to the car in front of the house, Bryan Burkhart and Anna Brown were sitting in it. I got on the front seat with Bryan, and Kelsie got in the back seat with Anna. We drove to a place on what I think is the old Greyhorse road, and stopped under a tree near a ravine. There was another car standing near where we stopped, but it had the curtains up, and I don't know who was in it. When the car stopped Kelsie walked around to the left side of the car, and Bryan got out on the left side. They went to the left back door and Kelsie reached in and caught Anna by the arm. They both reached in and helped her out of the car, Bryan being on the right side and Kelsie on the left side. They walked her away from the car, going towards the ravine. I looked out and back from the right side of the car and cleared my throat as to speak, and Kelsie looked back at me and said "You G. D. S. B., keep your mouth shut, keep quiet". They then walked on

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